

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM
Section 7: Cañones Creek

**Subfile Nos.: CHCC-002-0016
CHCC-003-0001**

JOINT MOTION FOR SUBSTITUTION OF PARTIES

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer and River Bend Ranch, LLC, by and through its counsel Law & Resource Planning Associates, P.C. (Charles T. DuMars and Christina J. Bruff), and pursuant to Fed. R. Civ. P. 25(c) jointly move the Court to issue its order substituting RIVER BEND RANCH, LLC for VERNON RYAN, DIANA RYAN and FRANK S. BLACKMER in these proceedings, and as grounds state as follows:

1. River Bend Ranch, LLC has acquired the land and water rights owned by Vernon Ryan and Diana Ryan under Subfile CHCC-002-0016 by deed dated September 17, 2005.
2. River Bend Ranch, LLC has acquired the land and water rights owned by Frank S. Blackmer under Subfile CHCC-003-0001 by deed dated September 22, 2005.
3. Both the Ryans and Blackmer attended field offices in Chama during the summer of 2003 and asserted additional claims to water rights in connection with their respective properties. The State recently reinspected the lands owned by the Ryans and Blackmer and has revised the mapping of the water rights appurtenant to those lands. The new owner of these properties, River Bend Ranch

LLC, has examined the revised Consent Orders proposed by the State in Subfiles CHCC-002-0016 and CHCC-003-0001 and finds the proposed resolution of the claims of the Ryans and Blackmer to be acceptable.

4. The State has prepared revised Consent Orders for Subfiles CHCC-002-0016 and CHCC-003-0001 for approval by River Bend Ranch LLC, and River Bend Ranch LLC has agreed to sign and approve the State's proposed Consent Orders in these subfiles after substitution of parties under Fed. R. Civ. P. 25(c).

WHEREFORE the State of New Mexico and River Bend Ranch LLC request the Court to enter its order Substituting River Bend Ranch LLC for Defendants Vernon Ryan, Diana Ryan and Frank S. Blackmer in these proceedings.

Respectfully submitted,

/s/ Ed Newville
EDWARD G. NEWVILLE
Special Assistant Attorney General
Office of State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102
(505) 867-7444

telephonic approval 02/08/06
Charles T. DuMars
Christina J. Bruff
Law & Resource Planning
Associates, PC
201 3rd St. NW #1750
Albuquerque, NM 87102-3368
(505) 346-0998

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was sent to the following persons by the method indicated on February 8, 2006.

/s/ Ed Newville
Edward G. Newville

Regular Mail

Frank S. Blackmer
18 Road 6358
Kirtland, NM 87417-9647

John P. Hays, Esq
Cassutt, Hays & Friedman, P.A.
530-B Harkle Road
Santa Fe, NM 87505
(attorney of record for Vernon Ryan and Diana Ryan)

Electronic Transmission (ACE)

Special Master Vickie L. Gabin
USDC-DCNM
P.O. Box 2384
Santa Fe, NM 87504-2384

Karla McCall, Data Manager
1315 Sagebrush Dr. SW
Los Lunas, NM 87031